

ENVIRONMENTAL PROTECTION AGENCY

(FRL-XXXX-X)

Federal Agency Hazardous Waste Compliance Docket

AGENCY: U.S. Environmental Protection Agency

ACTION: Notice of Tenth Update of the Federal Agency Hazardous Waste Compliance Docket, pursuant to CERCLA section 120(c).

SUMMARY: Section 120(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), requires the Environmental Protection Agency (EPA) to establish a Federal Agency Hazardous Waste Compliance Docket. The docket is to contain certain information about Federal facilities that manage hazardous waste or from which hazardous substances have been or may be released. (As defined by CERCLA section 101(22), a release is any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.) CERCLA requires that the docket be updated every six months, as new facilities are reported to EPA by Federal agencies. The following list identifies the Federal facilities to be included in this tenth update of the docket and includes facilities not previously listed on the docket and reported to EPA since the last update of the docket, 60 Federal Register [F.R.] 18474, April 11, 1995, (which was current as of September 10, 1994). EPA policy specifies that, for each Federal facility that is included on the docket during an update, the responsible Federal agency must complete a preliminary assessment (PA) and, if warranted, a site inspection (SI) within 18 months of publication of the notice. Such site evaluation activities will help determine whether the facility should be included on the National Priorities List (NPL) and will provide EPA and the public with valuable information about the facility. In addition to the list of additions to the docket, this notice includes a section that comprises revisions (that is, corrections and deletions) of the previous docket list and a list of the

facilities on the docket that have been evaluated and determined to be not appropriate for listing on the NPL at this time (the no further remedial action planned [NFRAP] list). This update contains 102 additions and 69 deletions since the previous update, as well as numerous other corrections to the docket list. At the time of publication of this notice, the new total number of Federal facilities listed on the docket is 2,104

DATES: This list is current as of October 1, 1996.

FOR FURTHER INFORMATION CONTACT:

Toll-Free Telephone Line for the Docket, Telephone: (800) 548-1016, or locally (703) 883-8577. Electronic versions of the docket may be obtained from Enviro\$en\$e/FFLEX (Federal Facilities Environmental Leadership Exchange)@<http://es.inel.gov/oeca/fedfac/fflex.html>

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1. Introduction

Section 120(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 United States Code (U.S.C.) 9620(c), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), required the establishment of the Federal Agency Hazardous Waste Compliance Docket. The docket contains information on Federal facilities that is submitted by Federal

agencies to the U.S. Environmental Protection Agency (EPA) under sections 3005, 3010, and 3016 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6925, 6930, and 6937 and under section 103 of CERCLA, 42 U.S.C. 9603. Specifically, RCRA section 3005 establishes a permitting system for certain hazardous waste treatment, storage, and disposal (TSD) facilities; RCRA section 3010 requires waste generators and transporters and TSD facilities to notify EPA of their hazardous waste activities; and RCRA section 3016 requires Federal agencies to submit biennially to EPA an inventory of hazardous waste sites that the Federal agencies own or operate. CERCLA section 103(a) requires that the National Response Center (NRC) be notified of a release. CERCLA section 103(c) requires reporting to EPA the existence of a facility at which hazardous substances are or have been stored, treated, or disposed of and the existence of known or suspected releases of hazardous substances at such facilities.

The docket serves three major purposes: (1) to identify all Federal facilities that must be evaluated to determine whether they pose a risk to human health and the environment sufficient to warrant inclusion on the National Priorities List (NPL); (2) to compile and maintain the information submitted to EPA on such facilities under the provisions listed in section 120(c) of CERCLA; and (3) to provide a mechanism to make the information available to the public.

The initial list of Federal facilities to be included on the docket was published on February 12, 1988 (53 Federal Register [F.R.] 4280). Updates of the docket have been published on November 16, 1988 (54 F.R. 46364); December 15, 1989 (54 F.R. 51472); August 22, 1990 (55 F.R. 34492); September 27, 1991 (56 F.R. 49328); December 12, 1991 (56 F.R. 64898); July 17, 1992 (57 F.R. 31758); February 5, 1993 (58 F.R. 7298); and November 10, 1993 (58 F.R. 59790); and April 11, 1995 (60 F.R. 18474). This notice constitutes the tenth update of the docket.

Today's notice is divided into four sections: (1) additions, (2) deletions, (3) corrections, and (4) a list of facilities classified as no further remedial action planned (NFRAP). The additions section lists newly identified facilities that have been reported to EPA since the last update and that now are being included on

the docket. The deletions section lists facilities that EPA is deleting from the docket. The corrections section lists changes in information about facilities already listed on the docket. The NFRAP list is the list of all docket facilities to which EPA has assigned a status of no further remedial action planned.

The information submitted to EPA on each Federal facility is maintained in the docket repository located in the EPA Regional office of the Region in which the facility is located (see 53 F.R. 4280 [February 12, 1988] for a description of the information required under those provisions). Each repository contains the documents submitted to EPA under the reporting provisions and correspondence relevant to the reporting provisions for each facility. A complete national index of the information found in the Regional docket repositories is maintained at EPA's Federal Facilities Enforcement Office in Washington, D.C. and is available to the public. The index for each Region is available for public review at each Regional repository. Contact the toll-free telephone line for the docket at (800) 548-1016, or locally (703) 883-8577, for information on locations of Regional repositories and on making arrangements to obtain specific documents.

2. Revisions to the Previous Docket

Following is a discussion of the revisions to the previous docket, including additions, deletions, and corrections.

2.1 Additions

Today, 102 facilities are being added to the docket, primarily because of new information obtained by EPA (for example, recent reporting of a facility pursuant to RCRA sections 3005, 3010, or 3016 or CERCLA section 103). For all facilities being added to the docket, it is EPA's policy that the responsible Federal agency must complete the required preliminary assessment (PA) and, if warranted, a site inspection (SI) within 18 months of the date of this publication.

Of the 102 facilities being added to the docket, 4 are facilities that have reported to the NRC the release of a reportable quantity (RQ) of a hazardous substance. Under section 103(a) of CERCLA, a facility is required to report to the NRC the release of a hazardous substance in a quantity that equals or exceeds the

established RQ. Reports of releases received by the NRC, the U.S. Coast Guard (USCG), and EPA are transmitted electronically to the Transportation Systems Center at the U.S. Department of Transportation (DOT), where they become part of the Emergency Response Notification System (ERNS) database. ERNS is a national computer database and retrieval system that stores information on releases of oil and hazardous substances. Facilities being added to the docket and facilities already listed on the docket for which an ERNS report has been filed are identified by the notation "103(a)" in the "Reporting Mechanism" column.

It is EPA's policy generally not to list on the docket facilities that are small-quantity generators (SQG) and that have never generated more than 1,000 kilograms (kg) of hazardous waste in any single month. If a facility has generated more than 1,000 kg of hazardous waste in any single month (that is, if the facility is an episodic generator), it will be added to the docket. In addition, facilities that are SQGs, but that have reported releases under CERCLA section 103 or other hazardous waste activities pursuant to RCRA 3016 will be listed on the docket and will undergo site evaluation activities, such as a PA and, when appropriate, an SI. All such facilities will be listed on the docket, whether or not they are SQGs pursuant to RCRA. As a result, some of the facilities that EPA is adding to the docket today are SQGs that had not been listed on the docket but that have reported releases or hazardous waste activities to EPA under another reporting provision.

In the process of compiling the documents for the Regional repositories, EPA identified a number of facilities that had previously submitted PA reports, SI reports, Department of Defense (DoD) Installation Restoration Program (IRP) reports, or reports under another Federal agency environmental restoration program, but had not submitted a notification form under CERCLA section 103. Section 120(c)(3) of CERCLA requires that EPA include on the docket information submitted under section 103. In general, section 103 requires persons in charge of a vessel or facility to provide notice of certain releases of hazardous substances. The reports under Federal agency environmental restoration programs mentioned above contain information similar to that provided pursuant to CERCLA section 103 and are considered equivalent forms of

notification for the docket. Thus, EPA believes that a facility that has provided information equivalent to a CERCLA section 103 notification, such as a report under a Federal agency environmental restoration program, should be included on the docket, regardless of the absence of formal notification under CERCLA section 103. Therefore, some of the facilities that EPA is adding today are being placed on the docket because they have submitted the reports described above.

EPA also includes privately owned, government-operated facilities (POGO) on the docket. CERCLA section 120(c) requires that the docket contain information submitted under RCRA sections 3005, 3010, and 3016 and CERCLA section 103, all of which impose duties on operators as well as owners of facilities. In addition, other subsections of CERCLA section 120 refer to facilities "owned or operated" by an agency or other instrumentality of the Federal government. That terminology clearly includes facilities that are operated by the Federal government, even if they are not owned by it. Specifically, CERCLA section 120(e), which sets forth the duties of the Federal agencies after a facility has been listed on the NPL, refers to the Federal agency that "owns or operates" the facility. In addition, the primary basis for assigning responsibility for conducting PAs and SIs, as required when a facility is listed on the docket, is Executive Order 12580, which assigns that responsibility to the Federal agency having "jurisdiction, custody, or control" over a facility. An operator may be deemed to have jurisdiction, custody, or control over a facility.

2.2 Deletions

Today, 69 facilities are being deleted from the docket for various reasons, such as incorrect reporting of hazardous waste activity, change in ownership, and exemption as an SQG under RCRA (40 Code of Federal Regulations [CFR] Part 262.44). Facilities being deleted no longer will be subject to the requirements of CERCLA section 120(d).

2.3 Corrections

Changes necessary to correct the previous docket were identified by both EPA and Federal agencies. The changes needed varied from simple changes in addresses or spelling to corrections of the recorded name

and ownership of a facility. In addition, some changes in the names of facilities were made to establish consistency in the docket. Many new entries are simply corrections of typographical errors. For each facility for which a correction has been entered, the original entry (designated by an "O"), as it appeared in the February 12, 1988 notice or subsequent updates, is shown directly below the corrected entry (designated by a "C") for easy comparison.

3. Process for Compiling the Updated Docket

In compiling the newly reported facilities for the update being published today, EPA extracted the names, addresses, and identification numbers of facilities from four EPA databases -- ERNS, the Biennial Inventory of Federal Agency Hazardous Waste Activities, the Resource Conservation and Recovery Information System (RCRIS), and the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) -- that contain information about Federal facilities submitted under the four provisions listed in CERCLA section 120(c).

Extensive computer checks compared the current docket list with the information obtained from the databases identified above to determine which facilities were, in fact, newly reported and qualified for inclusion on the update. In spite of the quality assurance efforts EPA has undertaken, state-owned or privately owned facilities that are not operated by the Federal government may have been included. Such problems are caused by procedures historically used to report and track data on Federal facilities; EPA is working to resolve them. Representatives of Federal agencies are asked to write to EPA's docket coordinator at the following address if revisions of this update information are necessary:

Federal Agency Hazardous Waste Compliance Docket Coordinator
Federal Facilities Enforcement Office (Mail Code 2261)
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

4. Facilities Not Included

As explained in the preamble to the original docket (53 F.R. 4280), the docket does not include the following categories of facilities (note, however, that any of these types of facilities may, when appropriate, be listed on the NPL):

- Facilities formerly owned by a Federal agency and now privately owned will not be listed on the docket. However, facilities that are now owned by another Federal agency will remain on the docket and the responsibility for conducting PAs and SIs will rest with the current owner.
- SQGs that have never produced more than 1,000 kg of hazardous waste in any single month and that have not reported releases under CERCLA section 103 or other hazardous waste activities under RCRA section 3016 will not be listed on the docket.
- Facilities that are solely transporters, as reported under RCRA section 3010, will not be listed on the docket.

5. Information Contained on Docket Listing

As discussed above, the update information below is divided into four separate sections. The first section is a list of new facilities that are being added to the docket. The second section is a list of facilities that are being deleted from the docket. The third section comprises corrections of information included on the docket. The fourth section is a list of facilities classified as NFRAP. Each facility listed for the update has been assigned a code that indicates a more specific reason(s) for the addition, deletion, or correction. The code key precedes the lists.

It is EPA's policy that all facilities on the additions list to this tenth docket update must submit a PA and, if warranted, an SI to EPA within 18 months of the date of this publication. The PA must include existing information about a site and its surrounding environment, including a thorough examination of human, food-chain, and environmental targets, potential waste sources, and migration pathways. From information in the PA or other information coming to EPA's attention, EPA will determine whether a follow-up SI is required. An SI augments the data collected in a PA. An SI may reflect sampling and other field data

that are used to determine whether further action or investigation is appropriate. This policy includes any facility for which there is a change in the identity of the responsible Federal agency. The reports should be submitted to the Federal facilities coordinator in the appropriate EPA Regional office.

The facilities listed in each section are organized by state and then grouped alphabetically within each state by the Federal agency responsible for the facility. Under each state heading is listed the name and address of the facility, the Federal agency responsible for the facility, the statutory provision(s) under which the facility was reported to EPA, and the correction code(s).

The statutory provisions under which a facility reported are listed in a column titled "Reporting Mechanisms." Applicable mechanisms are listed for each facility: for example 3010, 3016, and 103(c).

The complete list of Federal facilities that now make up the docket is not being published today. However, the list is available to interested parties and can be obtained by calling the toll-free telephone line for the docket at (800) 548-1016, or locally (703) 883-8577. As of today, the total number of Federal facilities that appear on the docket is 2,104.

6. Facility Status Reporting

In response to numerous requests from Federal agencies, EPA has expanded the docket database to include information on the status of facilities for which no further remedial action is planned (NFRAP). A prevalent concern has been the inability to identify facilities that, after submitting all necessary site assessment information, were found to warrant no further involvement on the part of EPA at the time. Accordingly, EPA has expanded the docket database to include a column indicating the facility's status.

The status codes are:

U = Undetermined

N = No further remedial action planned (NFRAP)

P = Currently proposed for the NPL

F = Currently final on the NPL

R = Removed from the proposed NPL and no longer considered for the final NPL

D = Deleted from the final NPL

EPA changed the site assessment recommendation site evaluation accomplished (SEA) to NFRAP.

NFRAP is a term used in the Superfund site assessment program to identify facilities for which EPA has found that currently available information indicates that listing on the NPL is not likely and further assessment is not appropriate at the time. NFRAP status does not represent an EPA determination that no environmental threats are present at the facility or that no further environmental response action of any kind is necessary. NFRAP status means only that the facility does not appear, from the information available to EPA at this time, to warrant listing on the NPL, and that, therefore, EPA anticipates no further involvement by EPA in site assessment or cleanup at the facility. However, additional CERCLA response actions by the Federal agency that owns or operates the facility, whether remedial or removal actions, may be necessary at a facility that has NFRAP status.

The status information contained in the docket database is the result of Regional evaluation of information taken directly from CERCLIS. (CERCLIS is a database that helps EPA Headquarters and Regional personnel manage sites, programs, and projects. It contains the official inventory of all CERCLA (NPL and non-NPL) sites and supports all site planning and tracking functions. It also integrates financial data from preremedial, remedial, removal, and enforcement programs.) The status information was taken from CERCLIS and sent to the Regional docket coordinators for review. The results of those reviews were incorporated into the status field in the docket database. Subsequently, a list of all facilities having NFRAP status (those for which an "N" appears in the status field) was generated; the list is being published today.

Important limitations apply to the list of facilities that have NFRAP status. First, the information is accurate only as of October 1, 1996. Second, a facility's status may change at any time because of any number of factors, including new site information or changing EPA policies. Finally, the list of facilities that

have NFRAP status is based on Regional review of CERCLIS data, is provided for information purposes only, and should not be considered binding upon either the Federal agency responsible for the facility or EPA.

The status information in the docket database will be reviewed, and a new list of facilities classified as NFRAP will be published at each docket update.

Dated: **June 12, 1997**

Craig E. Hooks,

Acting Director, Federal Facilities Enforcement Office

Docket Revisions

Categories of Revisions for Docket Update by Correction Code

Categories for Deletion of Facilities

- 1) Small-Quantity Generator
- 2) Not Federally Owned
- 3) Formerly Federally Owned
- 4) No Hazardous Waste Generated
- 5) (This correction code is no longer used.)
- 6) Redundant Listing/Site on Facility
- 7) Combining Sites Into One Facility/Entries Combined
- 8) Does Not Fit Facility Definition (All Are Vessels)
- 9) No Hazardous Waste (Responsible Federal Agency Changed)
- 10) Small-Quantity Generator (Responsible Federal Agency Changed)
- 11) No Hazardous Waste (Temporary Storage Only)
- 12) Not Federally Owned (Small-Quantity Generator)
- 13) Redundant Listing/Site on Facility (Federal Agencies Will Coordinate)

- 14) Small-Quantity Generator (Never Actually Built) Categories for Additions to Facilities

Categories for Addition of Facilities

- 15) Small-Quantity Generator With Either a RCRA 3016 or CERCLA 103 Reporting Mechanism
- 16) One Entry Being Split Into Two/Federal Agency Responsibility Being Split
- 17) New Information Obtained Showing That Facility Should Be Included
- 18) Facility Was a Site on a Facility That Was Disbanded; Now a Separate Facility
- 19) Sites Were Combined Into One Facility
- 19A) New Facility

Categories for Corrections of Information About Facilities

- 20) Reporting Provisions Change
- 20A) Typo Correction/Name Change/Address Change
- 21) Changing Responsible Federal Agencies (New Responsible Federal Agency Has 18 Months to Submit PA)
- 22) Changing Responsible Federal Agencies and Title (New Responsible Federal Agency Has 18 Months to Submit PA)
- 23) New Reporting Mechanism Added at Update
- 24) Reporting Mechanism Determined to Be Not Applicable After Review of Regional Files

NOTE: Further information on definitions of categories can be obtained by calling the toll-free telephone line for the docket at (800) 548-1016, or locally (703) 883-8577.